



City of Seattle

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Gregory J. Nickels, Mayor

**Department of Design, Construction and Land Use**

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Application Number:** 2302964

**Applicant Name:** Bill Parks

**Address of Proposal:** 7440 Latona Ave NE

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide two parcels of land into nine unit lots of land in a steep slope environmentally critical area. Proposed parcel areas are: Parcel A) 1,330 square feet, Parcel B) 1,539 square feet, Parcel C) 1,151 square feet, Parcel D) 1,935 square feet, Parcel E) 1,158 square feet, Parcel F) 2,071 square feet, Parcel G) 1,332 square feet, H) 1,812 square feet and Parcel I) 2,398 square feet. A single family residence on proposed Parcel I will remain and the single family residence on proposed parcels A, B, C, D and F will be demolished. The environmentally critical areas, with slopes exceeding 40%, are located on proposed Parcels A, D G and F. The construction of eight new single family houses is being reviewed under Project #2301844.

The following approvals are required:

**Short Subdivision** - to divide one parcel of land into nine unit lots.  
(Seattle Municipal Code Chapter 23.24)

**SEPA – Environmental Determination**  
(Seattle Municipal Code Chapter 25.05)

**SEPA DETERMINATION:** ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or  
another agency with jurisdiction.

Related Projects: ECA limited steep slope exemptions #2207639 and #2206606 were granted November 1, 2002 per SMC 25.09.180.D

## **BACKGROUND DATA**

### **Site Description**

The proposal site is located in a Multi-family Residential, Lowrise 1 (L-1) zone at the southeast corner of NE 75<sup>th</sup> Street and Latona Avenue NE, in the northeast portion of Seattle's Green Lake Neighborhood. Existing parcel A is approximately 8,989 square feet and has 58.68 lineal feet of frontage on Latona Avenue NE along its west property line, 36.71 lineal feet along its north property line fronting NE 75<sup>th</sup> Street and 75.22 lineal feet of frontage along the alley. Existing parcel B is approximately 5,736 square feet and has 151.45 lineal feet of frontage on NE 75<sup>th</sup> Street along its north property line and 101.60 lineal feet along its eastern property line fronting on the alley. Latona Ave NE is a two-lane, paved, residential street developed with curbs, gutters and sidewalks. NE 75<sup>th</sup> Street is an undeveloped street approximately 14 feet in width and is unpaved. Both parcels abut an existing 15-foot wide alley along their eastern property lines.

The property is developed with two single family structures, one of which is to remain. Both parcels are heavily landscaped with several large trees. On-site parking is provided on both parcels. The western portion of Parcel A slopes steeply down to the west and is identified as a steep slope area with slopes that exceed 40%. Similarly, the mid portion along the eastern portion of both Parcels A and B slopes down to the southeast and is an identified steep slope area with slopes exceeding 40%. The sloped area is covered with dense vegetation and at least mature four evergreen trees and six mature deciduous trees.

### **Area Development**

The surrounding property is developed with a mixture of single family and multi-family residences that are all zoned either Multi-family Residential, Lowrise 1, 2 or 3 to the west, south and east and Single Family to the north across NE 75<sup>th</sup> Street.

### **Proposal Description**

The applicant proposes to short subdivide two parcels of land into nine unit lots of land in a steep slope environmentally critical area. Proposed parcel areas are: Parcel A) 1,330 square feet, Parcel B) 1,539 square feet, Parcel C) 1,151 square feet, Parcel D) 1,935 square feet, Parcel E) 1,158 square feet, Parcel F) 2,071 square feet, Parcel G) 1,332 square feet, H) 1,812 square feet and Parcel I) 2,398 square feet. The environmentally critical steep slope located on existing Parcels A and B met the criteria for a steep slope exemption per SMC 25.09.180.D. It was determined that the slope area was previously developed with rockery walls and that the slopes were not a part of a larger steep slope area (Exemption Requests #2207639 and #2206606). The existing single family on proposed Parcel I would remain. The applicant has indicated intent to construct one single family residence on each of the eight proposed parcels (MUP #2208418 and #228420). The underlying L-1 zoning has a density requirement of one unit per 1,600 sq. ft., thus, allowing nine units between the two parcels.

### **Public Comments**

Two comments were received during the public comment period which ended June 4, 2003. Concerns were expressed regarding view blockage from residences across the alley from the

subject site as well as access to private parking garages during construction activity. The other comment letter expressed support for the preservation of the large Scot's pine tree located on the subject lot and expressed hope that the mature pine tree along the alley may also be preserved. The foliage of this tree helps to maintain the privacy of nearby residential units.

### **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all of the following facts and conditions are found to exist. The findings which follow are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Design, Construction and Land Use (DCLU); review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light; and, review by the Land Use Planner.

#### *1. Conformance to the applicable Land Use Code provisions;*

The lots created by the proposed short subdivision will conform to all development standards of the L1 zone. The lot configurations provide adequate buildable area to meet applicable density, setbacks, lot coverage requirements and other land use code development standards for existing and proposed development on the parcels. New development must conform to land use code requirements in effect at the time of building permit application.

#### *2. Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*

The proposed parcels will have adequate vehicle and utility access to the abutting residential streets. The Seattle Fire Department provides emergency vehicle access to the site and has approved the proposal. Seattle City Light provides electrical service to the subject property. Per SCL, any easement for electrical facilities necessary for the proposal shall be included in its entirety and shown on the final mylar. Also, all existing utility lines must be shown on the face of the plat.

#### *3. Adequacy of drainage, water supply, and sanitary sewage disposal;*

The existing structure located on the proposal site is connected by means of a public combined sewer in Latona Ave NE. Neither NE 75<sup>th</sup> St nor the alley to the east of the site have public sewers. The easements included in the proposed short plat do not allow for the connection of sidesewers from all lots to the public sewer in Latona Ave NE.

City sidesewer records indicate that the sidesewer from 311 NE 75<sup>th</sup> St crosses beneath proposed Unit Lot G, beneath the alley east of the site and connects to the sidesewer serving 7443 4<sup>th</sup> Ave NE. If this connection is to remain, an easement across Unit Lot G will be needed. No new sidesewers may connect to this sidesewer.

Stormwater discharge from new construction shall be to the public sewer in Latona Ave NE. A detention system or systems shared by two or more lots shall be required. The easements included in the proposed short plat do not allow for connection of stormwater service drains from all lots to the public sewer in Latona Ave NE.

Seattle Public Utilities reviewed the short subdivision application and approved a Water Availability Certificate, No. 03-0669, on June 26, 2003. All conditions on the certificate must be met prior to receiving water service.

*4. Whether the public use and interests are served by permitting the proposed division of land;*

The proposed subdivision is consistent with relevant L-1 zone land use policies and meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis and decision. The public use and interests are served by permitting the proposed division of land.

*5. Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*

The proposal site contains steep slope environmentally critical areas as defined in Seattle Municipal Code Chapter 25.09. However, as a result of steep slope exemption approvals (#2207639 and #2206606), the proposal is not subject to the steep slope standards of Environmentally Critical Areas Ordinance.

*6. Is designed to maximize the retention of existing trees;*

The design of the plat will allow for retention of trees on the site. The applicant must note on the face of the plat that all future construction on all parcels must comply with the tree removal/retention development standards of SMC 23.45.015.C.

*7. Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

This criterion is not applicable to this short subdivision.

## **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED** subject to the conditions noted at the end of the report.

## **ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist (dated May 15, 2003), a geo-technical report prepared by Shannon & Wilson, Inc. (October 25, 2002), and supplemental information in the project file submitted by the applicant. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects forms the basis for this analysis and decision.

Construction activities associated with future construction on Parcel A through I could result in the following adverse impacts: soil erosion and runoff, mud and dirt on adjacent streets, emissions from construction machinery and vehicles, increased dust levels, increased noise levels, spot glare and lighting, blockage of sidewalks adjacent to the site, occasional disruption

of adjacent vehicular traffic, and small increase in traffic and parking impacts due to construction workers' vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project.

Long-term or use related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased pedestrian and vehicular traffic; parking demand due to residents and visitors; increased airborne emissions resulting from additional traffic; increased ambient noise due to increased human activity; increased demand on public services and utilities; increased light and glare; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

Even though the proposal is exempted from the steep slope Environmentally Critical Areas steep slope standards, the proposal is subject to the standards for landslide prone areas. The construction plans will be reviewed for stability and soils considerations by DCLU's Geotechnical Engineer and the Building Plans Examiner, who will also require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary in accordance with Director's Rule 2-87 prior to issuance of the Master Use Permit. As indicated by the soils report, this project (as recommended by the geotechnical engineer) will not significantly increase the risk of land instability.

#### Summary

In conclusion, several effects on the environment would result from the proposed development. However, all of the identified impacts are minor in scope and will be mitigated by existing codes and ordinances. No further mitigation pursuant to SEPA policies is warranted.

#### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

#### **CONDITIONS - SEPA**

None.

## **CONDITIONS - SHORT SUBDIVISION**

### **Prior to Recording**

The owner(s) and responsible party(s) shall:

1. Provide final recording forms and fees. Have the final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision shall be surveyed in the field and all property corners set in conformance with appropriate state statute. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown, as well as all structures and distances from them to the proposed property lines. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. A licensed surveyor shall stamp the short plat drawings.
2. Add the conditions of approval after recording on the face of the plat, or on a separate page if needed. If necessary, renumber the pages.
3. The location of existing utility lines shall be shown on the face of the plat.
4. A note on the face of the plat shall state that tree removal shall be subject to the development standards of SMC 23.45.015.C for all future construction.
5. Include in the proposed unit lot subdivision sufficient easements for sidesewer and service drain connections from all lots to the public sewer in Latona Ave NE. (The drainage control plan for the building permit, not under review, must include detention system or systems; the approved locations and sizes of the detention system or systems will guide the locations and widths of the sidesewer easement or easements.)
6. Please provide an easement across Unit Lot G if the sidesewer located under this lot is to remain. (No new sidesewers may connect to the sidesewer servicing 7443 4<sup>th</sup> Ave NE.)
7. Please include existing site parcels A and B in the plan sets. Modify the original legal description to reflect both original parcels and the corresponding square footages.
8. Per SCL, any easement for electrical facilities necessary for the proposal shall be included in its entirety and shown on the final mylar.

Signature: (signature on file) Date: July 7, 2003  
Lisa Rutzick, Land Use Planner  
Department of Design, Construction and Land Use  
Land Use Services